

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

SAMMY R. QUAIR, SR.,

Plaintiff,

v.

LIEUTENANT COLLIER, ET. AL.,

Defendant.

No. 1:21-cv-01474-NONE-HBK

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS

(Doc. No. 6)

Plaintiff Sammy R. Quair, Sr. initiated this action as a prisoner proceeding *pro se* by filing a civil rights complaint under 42 U.S.C. § 1983 on October 1, 2021. (Doc. No. 1.) The matter was referred to the assigned United States magistrate judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Eastern District of California Local Rule 302.

On December 2, 2021, the magistrate judge issued findings and recommendations recommending plaintiff's motion to proceed in forma pauperis be denied due to plaintiff three-strike status. (Doc. No. 6). The findings and recommendations determined plaintiff did not meet the imminent physical injury exception and recommended that the district court require he pay the full filing fee, absent which the matter should be dismissed. (*Id.* at 5–6.) Plaintiff was given notice that objections were due in fourteen days. (*Id.* at 1, 6.) Plaintiff has not filed any objections and the time to do so has expired. (*See* docket.)

////

1 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), the court has conducted a
2 *de novo* review of this case. Having carefully reviewed the entire file, the court finds the findings
3 and recommendations to be supported by the record and by proper analysis.

4 ACCORDINGLY, it is ORDERED:

- 5 1. The findings and recommendations issued on December 2, 2021 are adopted in full;
6 2. Plaintiff shall pay the filing fee of \$402.00 within twenty-one days of receiving service
7 of process on this order.
8 3. Plaintiff's failure to timely comply with this order will result in the dismissal of this
9 case without further notice.

10 IT IS SO ORDERED.

11 Dated: January 5, 2022

12 
13 _____
14 UNITED STATES DISTRICT JUDGE
15
16
17
18
19
20
21
22
23
24
25
26
27
28